

MINUTES

COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

COUNCIL CHAMBERS, 736 RICHLAND AVENUE, W., AIKEN, S. C.

REGULAR MEETING – SEPTEMBER 21, 2004 – 7:00 P. M.

(A) CALL TO ORDER

Determining that a quorum was present, Chairman Young called the meeting to order.

Council Members present:

Chairman Ronnie Young
Kathy Rawls
Scott Singer
LaWana McKenzie
Chuck Smith
Eddie Butler (arrived at 7:37 pm)
Charles Barton
Rick Osbon
Willar H. Hightower, Jr.

Also present:

J. Clay Killian, County Administrator
Robert M. Bell, County Attorney
Tamara Sullivan, Council Clerk

(B) INVOCATION

Councilman Hightower led in the invocation.

(C) PLEDGE OF ALLEGIANCE

Councilman Osbon led in the Pledge of Allegiance.

(D) APPROVAL OF MINUTES

1. August 17, 2004 Worksession
2. August 17, 2004 Regular Meeting
3. September 14, 2004 Special Meeting

- a. Councilwoman McKenzie made a motion to approve the minutes. Councilman Smith seconded.
- b. The minutes were approved by unanimous vote with Councilman Butler absent.

(E) APPROVAL OF AGENDA

- a. Councilwoman McKenzie made a motion to amend and approve the agenda as follows:
 1. Move Consent Item 21 to Old Business Item 4.
 2. Move Consent Item 23 to Old Business Item 5.
- b. Councilman Hightower seconded the motion. The amended agenda was approved by unanimous vote with Councilman Butler absent.

(F) PUBLIC HEARINGS

1. Proposed Ordinance to Amend Ordinance 04-6-11, the FY 2005 County Operating Budget to Correct the Fire Fees Charged for the GVW Fire Department.
 - a. No comments were made.
2. Proposed Ordinance to Provide for the Issuance and Sale of Not Exceeding \$9,000,000 General Obligation Bonds of 2004 of Aiken County, South Carolina, to Prescribe the Purposes for Which the Proceeds Shall be Expended, to Provide for the Payment Thereof, and Other Matters Relating Thereto.
 - a. Mr. Killian stated that this item would be appropriately sized once other financing options are reviewed prior to third reading of the proposed Ordinance.
3. Proposed Ordinance to Amend Chapter 6.3, Detention Center of the Aiken County Code of Ordinances to Transfer Operational Responsibility of the Aiken County Detention Center to the Aiken County Sheriff's Office, and to Make Other Changes Related Thereto.
 - a. Councilman Singer stated that he was going to offer an amendment to the proposed Ordinance that would allow for a contractual agreement between Aiken County and the Sheriff's Office in reference to the operational control of the Detention Center.
 - b. Mr. Mark Gibson, Chairman of the Detention Center Citizens Advisory Board, addressed Council with his concerns about the transfer of operational control of the Detention Center to the Sheriff's Office. He questioned why Council had not contacted the Board with their questions and concerns leading up to the decision to transfer the operational control. Mr. Gibson also tendered his resignation from the Board.
 - c. One gentleman spoke about the cost charged for telephone calls made by inmates. He also spoke about law enforcement's need to secure a persons vehicle when taking them into custody.
 - d. The Honorable Charles Carter, Graniteville Magistrate, addressed Council with the difficulties that he and the other magistrates are having. He added that the Detention Center Citizens Advisory Board had not contacted him or the other magistrates to discuss their perception of the operational procedures at the Detention Center.
 - e. Several citizens spoke and voiced concerns that the transfer of the Detention Center would put an additional burden on the Sheriff's Office.

(Councilman Butler arrived)

- f. The Honorable Mike Hunt, Aiken County Sheriff, assured the citizens that the Detention Center would not hinder the operation of the Sheriff's Office. He explained that it would become a Division of the Sheriff's Office. The policies and procedures as well as the law would be followed and everyone would be treated fairly. He added that he would be working with all the entities that are involved in the Detention Center process to formulate a program to address the high population at the Detention Center.
 - g. Councilwoman McKenzie apologized for not consulting the Detention Center Citizens Advisory Board. She stated that it was her understanding that the full Board was not meeting on a regular basis and several members were no longer participating at all.

Councilwoman McKenzie clarified that she had visited and observed the jail facility on several occasions.

- h. Several other Councilmembers stated that they had visited the Detention Center for observation and information purposes. Council discussed the numerous problems, management issues, the report they had received following an operational assessment of the facility by the National Corrections Institute, and the high turnover rate of employees over the past two years. These factors contributed to Council making the decision to transfer operational control of the Detention Center to the Sheriff's Office.

(G) OLD BUSINESS

1. Proposed Ordinance to Amend the Aiken County Code of Ordinances by Adding Section 24-184. Tattoo Parlors Establishing Regulations Concerning Their Location in Aiken County, South Carolina.
(County Council) (Third Reading)
 - a. Councilwoman Rawls moved for the adoption. Councilman Hightower seconded.
 - b. Mr. Killian stated that on the advice of Mr. Lawrence Brown, Assistant County Attorney, this proposed Ordinance should be voted down or tabled.
 - c. Mr. Bell suggested that if the Council did not want tattoo parlors that the proposed Ordinance be defeated, not tabled.
 - d. Councilman Singer made a motion to table the proposed Ordinance. Councilman Osbon seconded.
 - e. The motion to table failed by majority vote with Councilman Singer voting in favor.
 - f. Discussion followed about the proposed Land Management Ordinance and the ability to address tattoo parlors in that document in the future.
 - g. The Ordinance was defeated by unanimous vote.
2. Proposed Ordinance to Amend the Aiken County Code of Ordinances to Change the Salary of the Council Chairman.
(County Council) (Third Reading)
 - a. Councilman Butler made a motion for the approval. Councilman Smith seconded.
 - b. Passed by unanimous vote with Chairman Young abstaining.
3. Proposed Resolution to Establish Millage Rates for FY 2005.
(County Council)
 - a. Councilman Barton moved for the adoption. Councilman Butler seconded.
 - b. Passed by unanimous vote.
4. Proposed Ordinance to Amend Ordinance 04-6-11, the FY 2005 County Operating Budget to Correct the Fire Fees Charged for the GVW Fire Department.
(County Council) (Second Reading) **(MOVED FROM CONSENT ITEM 21)**
 - a. Councilman Osbon moved for the adoption. Councilman Singer seconded.

- b. Councilman Singer made a motion to amend the Ordinance by adding that the cost for a copy of the proposed Land Management Ordinance be reduced from \$50 to \$25. Councilwoman McKenzie seconded the amendment.
 - c. The amendment passed by unanimous vote.
 - d. The amended Ordinance passed second reading by unanimous vote.
- 5. Proposed Ordinance to Amend Chapter 6.3, Detention Center of the Aiken County Code of Ordinances to Transfer Operational Responsibility of the Aiken County Detention Center to the Aiken County Sheriff's Office, and to Make Other Changes Related Thereto.
(County Council) (Second Reading) **(MOVED FROM CONSENT ITEM 23)**
 - a. Councilman Hightower made a motion to approve the Ordinance. Councilwoman Rawls seconded.
 - b. Councilman Singer made a motion to amend the Ordinance to provide that Aiken County and the Sheriff enter into a contractual arrangement whereby operational control of the Detention Center shall be transferred to the Sheriff, the details to be worked out and brought back to this body. Councilman Smith seconded the amendment.
 - c. The amendment passed by unanimous vote.
 - d. The amended Ordinance passed second reading by unanimous vote...

(H) CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

I. REGULAR CONSENT AGENDA

- 1. Proposed Resolution to Appoint One Member to Designated Boards, Commissions and Committees with Terms of the Appointees to Run Concurrent with that of the Councilmember from Districts 1, 2, 3, 4, 5, 6, and 7.
(Rawls, Singer, McKenzie, Smith, Butler, Barton, Osbon)
- 2. Proposed Resolution to Appoint Two Members to the Lower Savannah Workforce Development Board.
(Development Committee)
- 3. Proposed Resolution to Appoint the Steering Committee for the Aiken County Strategic Planning Process.
(County Council)
- 4. Proposed Resolution to Approve the Allocation of Funds for Various Non Profit Agencies from the FY 2005 Council Contingency Fund.
(County Council)
- 5. Proposed Resolution Honoring Mrs. Celia Williams Bennett on Her 80th Birthday.
(Hightower)
- 6. Proposed Resolution to Authorize the Council Chairman to Execute a Renewal Lease Agreement with the United States Department of Agriculture for Space at the Aiken County Agricultural Center.
(Development Committee)

7. Proposed Resolution to Authorize the Aiken County Public Service Authority to Implement the Cost Settlement Flows for FY 2004 and to Set Customer Billing Estimated Flows for FY 2005.
(Development Committee)
8. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Cordano's Painting Inc for the Judicial Center Painting.
(Development Committee)
9. Proposed Resolution to Waive Certain Sign Limits for a Free Standing Sign for J&J Building Supply Location at 5080 Jefferson Davis Highway, North Augusta.
(Development Committee)
10. Proposed Resolution to Waive Certain Sign Limits for a Free Standing Sign for Oak Grove Baptist Church Located at 1721 Old 96 Indian Trail, Batesburg, SC.
(Development Committee)
11. Proposed Resolution to Assign the Official Road Name of Randolph's Corner Lane to an Existing Unnamed Private Road in County Council District 6.
(Barton)
12. Proposed Resolution to Assign the Official Road Name of Boss Hogg Lane to an Existing Unnamed Private Road in County Council District 2.
(Singer)
13. Proposed Resolution to Assign the Official Road Name of Bonnett Road to an Existing Unnamed Private Road in County Council District 1.
(Rawls)
14. Proposed Resolution to Authorize the Central Procurement Division to Purchase Mobile Light Trailer from Goodlett Equipment Inc.
(Judicial and Public Safety Committee)
15. Proposed Resolution to Accept Easements on Browns Pond Road (C-683), Cumbee Trail Road (C-549), Keys Pond Road (C-540), and Old Chalk Bed Road (C-632) Needed for Capital Projects Sales Tax Paving Project.
(Development Committee)
16. Proposed Resolution to Adopt a Section 504 Grievance Procedure, Required by Section 504 of the Rehabilitation Act of 1973.
(Administrative Committee)
17. Proposed Resolution to Authorize the Central Procurement Division to Purchase Video Camera & Telescoping Mast from Harless Fire Equipment.
(Judicial and Public Safety Committee)
18. Proposed Resolution to Authorize the Council Chairman to Execute an Agreement with Vismor & Associates for Updating the Aiken County Comprehensive Plan.
(County Council)
19. Proposed Resolution to Authorize the Central Procurement Division to Purchase Thermal Imaging Camera from LAMSA Weapons System.
(Judicial and Public Safety Committee)

20. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Concurrent Technologies Corporation for the Professional Services for the Brownfields Assessment Project.
(Judicial and Public Safety Committee)

21. **MOVED TO OLD BUSINESS ITEM 4.**

22. Proposed Ordinance to Provide for the Issuance and Sale of Not Exceeding \$9,000,000 General Obligation Bonds of 2004 of Aiken County, South Carolina, to Prescribe the Purposes for Which the Proceeds Shall be Expended, to Provide for the Payment Thereof, and Other Matters Relating Thereto.
(County Council) (Second Reading)

23. **MOVED TO OLD BUSINESS ITEM 5.**

II. CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

24. Proposed Ordinance to Amend Chapter 22. Taxation of the Aiken County Code of Ordinances to Allow for Delayed Payment of Real Property Taxes for Persons Serving in the United States Armed Forces or National Guard in or Near a Hazard Duty Zone.
(Administrative Committee)

- a. Councilwoman McKenzie made a motion to approve the Consent Agenda. Councilman Hightower seconded.
- b. The Consent Agenda was approved by unanimous vote with Councilman Smith abstaining on Consent Item 4.

(I) PUBLIC PRESENTATIONS

1. Presentation Regarding the Coca Cola Kids Camp
(Mr. Brian Sanders, Director, PRT)

- a. Mr. Sanders reviewed the various theme camps held throughout the County over the summer and the success of those activities.

Mr. Sander stated that the Aiken County Parks, Recreation and Tourism Department had won "Innovative Program of the Year for the State of South Carolina" again. The program was "Aiken's Taking It Off" and was run in cooperation with the City of Aiken.

- b. Mr. Killian announced that Mr. Sanders had been elected President of the South Carolina Parks and Recreation Association this year.

(J) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

1. Fiscal Year 2005 Aiken County Contingency Report as of August 18, 2004.

(K) INFORMAL MEETING OF WHOLE

- a. Mr. Jim Ullery, of Dunaway, Fletcher & Moore Brownfield Restoration Firm, requested information on why his firm had not been selected as the provider of professional services for the Brownfield Assessment Project.
- b. Council asked that the information be provided to Mr. Ullery and also asked that the Administrative Committee review the process for RFQ's (Requests for Qualifications).

- c. Councilwoman McKenzie made a motion to recess for Executive Session. Councilman Hightower seconded.
- d. The motion to recess passed by unanimous vote.

RECESSED – 8:13 P. M.

(L) EXECUTIVE SESSION

- 1. Legal Matters:
 - a. Status Report on Pending Litigation, Legal Claims and Legal Advice. (County Attorney) (Verbal)
- 2. Contractual Matters:
- 3. Personnel Matters:

RECONVENED – 9:32 P. M.

- a. Following Executive Session, Councilwoman McKenzie made a Voice Motion to transfer the Transit Operations of Aiken County to the Lower Savannah Council of Governments. Councilman Hightower seconded the Voice Motion.
- b. The Voice Motion passed by unanimous vote with Councilwoman Rawls, Councilman Barton, Councilman Hightower and Chairman Young abstaining.
- c. Councilwoman McKenzie made a motion to adjourn the meeting. Councilman Osbon seconded.
- d. The motion to adjourn passed by unanimous vote.

(M) ADJOURNMENT – 9:34 P. M.

Respectfully submitted,

SIGNED:

Tamara Sullivan, Council Clerk

Ronnie Young, Chairman